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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/420,208	10/18/1999	SHANE HERMAN	2705-688	2479
20575 7590 12/12/2007 MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			EXAMINER NGUYEN, CHAU T	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 12/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/420,208

Applicant(s)

HERMAN ET AL.

Examiner

Chau Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 54-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 54-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/02/2007 has been entered. Claims 1-53 are cancelled. Claims 54-75 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 54-75 have been considered but are moot in view of the new ground(s) of rejection below.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 54-55 and 57-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al. (Devine), US Patent No. 6,606,708 and further in view of Riggins, US Patent No. 7,287,271.

5. As to independent claim 54, Devine discloses a method, comprising:

determining at a local server whether a user is authorized to access a remote server (col. 13, line 60 – col. 14, line 5: dispatcher server (local server) authenticates the user's access to the desired middle-tier service from mid-range server (remote server);

when the user is authorized, identify a privilege level associated with the user, the identified privilege level defining how the user is permitted to control an operating system running on the remote server (Abstract: providing for an identification of the user, and an identification of the user is who he/she claims to be and a determination of entitlements that the user may avail themselves of within the enterprise system; the entitlements represent specific services the user has subscribed and has privilege to access (col. 16, lines 44-54));

receiving at the local server one or commands from the user, the commands for controlling the operating system (col. 16, lines 60-66: the user is able to select a service or a request to run, and the service can be a command and control, read, write and modify files (col. 27, lines 2-9));

filtering the commands received at the local server according to a verification of whether the received commands correspond to the identified privilege level for the user (col. 14, lines 6-32: the dispatcher receiving the requests from the user, the request then is examined, revealing the user and the target middle-tier service for the request, and performing validation, making sure that the user is entitle to communicate with the desired service); and

sending messages that represent the filtered commands from the local server, over the packet switch network, and to the remote server when the commands correspond to the identified privilege level (col. 14, lines 6-32: managing the communication of the specific customer request with the middle-tier server to actually get the request serviced).

However, Devine does not explicitly disclose identify at the local server a privilege level associated with the user.

In the same field of endeavor, Riggins discloses the user must first obtain authorization from the global server (local server), and once authenticated, the global server 106 provides the user with access to the services, and varying levels of access to services will be granted based on varying strengths of identification and authentication (col. 4, lines 24-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Riggins with Devine to include identify at the local server a privilege level associated with the user for the purpose of controlling access to services, logging use of keys and logging access of resources.

6. As to dependent claim 55, Devine discloses logging into the remote server prior to sending the messages, said login conducted using an operating system level account that is selected independently of the user (col. 16, lines 15-21).

7. As to dependent claim 57, Devine discloses wherein the commands are generated in response to the user making selections on one or more web pages displayed by a client system (col. 16, lines 54-66).

8. As to dependent claim 58, Devine discloses wherein the messages cause the remote server to download files to a client system separate from the remote server (col. 5, line 62 – col. 6, line 7).

9. As to dependent claim 59, Devine discloses wherein the client system is a same client system that originates the commands (col. 5, line 62 – col. 6, line 7).

10. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Devine and Riggins as applied to claims 54-55 and 57-59 above, and further in view of Booth, US Patent No. 6,345,307.

11. As to dependent claim 56, Devine and Riggins, however, does not explicitly disclose wherein the messages are sent using a transfer protocol that operates independently of HyperText Transfer Protocol (HTTP) capability on the remote server and that operates independently of TELecommunications NETwork (TELNET) capability on the remote server.

Booth discloses a proxy server is a type of gateway that allows a browser using HTTP to communicate with a server that does not understand HTTP, but which uses

FTP; the proxy server accepts HTTP requests from the browser and translates them into a format that is suitable for the origin server such as an FTP request (col. 1, lines 34-45), and thus this implies the requests are sent using a transfer protocol FTP that operates independently of HyperText Transfer Protocol (HTTP) capability on the remote server and that operates independently of TELEcommunications NETwork (TELNET) capability on the remote server.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Booth and Devine to include the messages are sent using a transfer protocol that operates independently of HyperText Transfer Protocol (HTTP) capability on the remote server and that operates independently of TELEcommunications NETwork (TELNET) capability on the remote server for the purpose of enhancing communications between users and servers that do not have the same protocols.

12. Claims 60-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine and Riggins as applied to claims 54-55 and 57-59 above, and further in view of Lomet et al. (Lomet), US Patent No. 6,182,086.

13. As to dependent claim 60, Devine and Riggins, however, do not explicitly disclose the local server creating a session log entry that identifies the commands represented by the messages, the session log entry containing information allowing a system administrator to undo transactions performed on the remote server.

Lomet discloses server 54 generates a log record for each of its own write operation on database objects (col. 10, lines 35-41). Lomet further discloses the server can undo a request and re-execute it all over again when the client re-submits the request (col. 10, line 59 - col. 11, line 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lomet with Devine and Riggins to include the local server creating a session log entry that identifies the commands represented by the messages, the session log entry containing information allowing a system administrator to undo transactions performed on the remote server. The motivation for creating log record is to provide undo recovery with incomplete requests/commands.

14. As to dependent claim 61, Devine and Riggins disclose wherein the transactions alter a file system stored on the server (Devine, col. 27, lines 2-5: determining authorization for command and control, read, write, and modify files).

However, Devine and Riggins do not explicitly disclose the session log entry allows the system administrator to rebuild the file system.

Lomet discloses when restarting after a server failure, the server performs analysis pass over log file by rebuilding the active application table (file system) (col. 15, line 60 - col. 16, line 12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lomet with Devine and Riggins to



include the session log entry allows the system administrator to rebuild the file system for the purpose of recovering failed server.

15. Claims 62-64, 66, and 69-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al. (Devine), US Patent No. 6,606,708 in view of Riggins, US Patent No. 7,287,271, and further in view of Brown et al. (Brown), US Patent No. 5,941,947.

16. As to independent claims 62 and 72, Devine discloses a system, comprising:

a content server having configured thereon an Operating System (OS), the OS capable of provisioning OS level accounts that define levels of administrative privileges for users (col. 13, line 60 – col. 14, line 5: dispatcher server (content server) authenticates the user's access to the desired middle-tier service from mid-range server (remote server); Abstract: providing for an identification of the user, and an identification of the user is who he/she claims to be and a determination of entitlements that the user may avail themselves of within the enterprise system; the entitlements represent specific services the user has subscribed and has privilege to access (col. 16, lines 44-54));

one or more central server to function as a trusted proxy for the content server by remotely administering privilege management for the content server (col. 13, line 60 –

col. 14, line 5: dispatcher server (central server) authenticates the user's access to the desired middle-tier service from mid-range server (content server));

the central servers to receive an access request from one of the remote users, to determine whether the remote user is authorized to access the content server, and when the remote user is authorized to access the content server, to select a level of administrative privileges according to the remote user (col. 13, line 60 – col. 14, line 5: dispatcher server (central server) authenticates the user's access to the desired middle-tier service from mid-range server (content server); Abstract: providing for an identification of the user, and an identification of the user is who he/she claims to be and a determination of entitlements that the user may avail themselves of within the enterprise system; the entitlements represent specific services the user has subscribed and has privilege to access (col. 16, lines 44-54)); and

the central servers to receive, from an endpoint for the remote user, commands for controlling the content server, to filter the received commands according to the selected level of administrative privileges, and to forward the filter commands to the content server (col. 16, lines 60-66: the user is able to select a service or a request to run, and the service can be a command and control, read, write and modify files (col. 27, lines 2-9); the dispatcher receiving the requests from the user, the request then is examined, revealing the user and the target middle-tier service for the request, and performing validation, making sure that the user is entitled to communicate with the desired service (col. 14, lines 6-32); managing the communication of the specific

customer request with the middle-tier server to actually get the request serviced (col. 14, lines 6-32).

However, Devine does not explicitly disclose different level accounts that defines different levels of administrative privileges for different users.

In the same field of endeavor, Riggins discloses the user must first obtain authorization from the global server (local server), and once authenticated, the global server 106 provides the user with access to the services, and varying levels of access to services will be granted based on varying strengths of identification and authentication of users(col. 4, lines 24-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Riggins with Devine to include different level accounts that defines different levels of administrative privileges for different users for the purpose of controlling access to services, logging use of keys and logging access of resources.

Devine and Riggins, however, do not explicitly disclose the content server having established thereon a single OS account for allowing accessing to a plurality of remote users, the single OS level account associated a same level of administrative privileges for the remote users.

In the same field of endeavor, Brown discloses access rights data is stored within the relational database association with multiple user group identifiers, which identify user groups (col. 3, lines 12-20). Brown further discloses upon receiving a user-specific access rights query, the security server (content server) accesses the group-member

table to identify all user groups of which the specified user is a member (col. 4, lines 40-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brown with Devine and Riggins to include storing access rights data primarily on a per-user-group basis, rather than separately storing the access rights of each individual user. The motivation for the use of user groups is to reduce the quantity of access rights data that needs to be stored.

17. As to dependent claim 63, Devine and Riggins disclose the central servers impose differing restrictions on the remote users through command filtering (Devine, Abstract: providing for an identification of the user, and an identification of the user is who he/she claims to be and a determination of entitlements that the user may avail themselves of within the enterprise system; the entitlements represent specific services the user has subscribed and has privilege to access (col. 16, lines 44-54)).

However, Devine and Riggins do not explicitly disclose wherein the single OS level account is a generic account that does not restrict administrative privileges.

In the specification, Applicant describes "this generic entry is assigned to multiple users" (see page 13, lines 20-23). In the same field of endeavor, Brown discloses access rights data is stored within the relational database association with multiple user group identifiers, which identify user groups (col. 3, lines 12-20). Brown further discloses upon receiving a user-specific access rights query, the security server

accesses the group-member table to identify all user groups of which the specified user is a member (col. 4, lines 40-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brown with Devine and Riggins to include storing access rights data primarily on a per-user-group basis, rather than separately storing the access rights of each individual user. The motivation for the use of user groups is to reduce the quantity of access rights data that needs to be stored.

18. As to dependent claim 64, Devine and Riggins, however, do not explicitly disclose wherein the central servers are logged onto the content server under the single OS level account when forwarding the filtered commands for the different users.

Brown discloses a request is generated on the client and sent to the gateway (central server) that is handling the logon session, the gateway then selects a single application server (content server) to handle the service session, and throughout the service session, the gateway routes messages between the client and the application server as the client and server portions of the service application communicate (col. 9, lines 12-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brown with Devine and Riggins to include the central servers are logged onto the content server under the single OS level account when forwarding the filtered commands for the different users. The motivation

for the use of user groups is to reduce the quantity of access rights data that needs to be stored.

19. As to dependent claim 66, Devine discloses the central server send a notification to the remote user when one of the commands is filtered, the notification indicating that the remote user does not have a requisite level of administrative privileges to control the content server using the filtered command (col. 17, lines 5-22).

20. As to dependent claim 69, Devine discloses wherein the received commands are for creating files and directories, editing files and directories, or removing files and directories (col. 27, lines 1-5).

21. As to dependent claim 70, Devine discloses wherein a file structure on the content server is manipulated according to the forwarded commands (col. 27, lines 1-5).

22. As to dependent claim 71, Devine discloses wherein the operating system is an embedded operation system (col. 5, line 62 – col. 6, line 7).

23. As to dependent claim 73, Devine discloses wherein the apparatus offloads, from the server, managing which of the different users are able to control which functionality of the OS (col. 14, lines 6-37).

24. As to dependent claims 74-75, Devine and Riggins do not explicitly disclose wherein the apparatus allows the different users to control the OS independently of whether a password for logging into the OS is provided to the users, and wherein the apparatus allows the server to maintain only a single OS level account and password regardless of the number of remote users.

In the same field of endeavor, Brown discloses access rights data is stored within the relational database association with multiple user group identifiers, which identify user groups (col. 3, lines 12-20). Brown further discloses upon receiving a user-specific access rights query, the security server (content server) accesses the group-member table to identify all user groups of which the specified user is a member (col. 4, lines 40-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brown with Devine and Riggins to include storing access rights data primarily on a per-user-group basis, rather than separately storing the access rights of each individual user. The motivation for the use of user groups is to reduce the quantity of access rights data that needs to be stored.

25. Claim 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al. (Devine), US Patent No. 6,606,708 in view of Riggins, US Patent No. 7,287,271, and further in view of Brown et al. (Brown), US Patent No. 5,941,947 as discussed in claims 62-64, 66, and 69-75 above, and further in view of Booth, US Patent No. 6,345,307.

26. As to dependent claim 65, Devine, Riggins and Brown, however, do not disclose wherein the commands are generated by the remote user interacting with a web browser and are formatted as HyperText Transfer Protocol (HTTP) requests, and the server forwards the commands using an File Transfer Protocol (FTP) format.

Booth discloses a proxy server is a type of gateway that allows a browser using HTTP to communicate with a server that does not understand HTTP, but which uses FTP; the proxy server accepts HTTP requests from the browser and translates them into a format that is suitable for the origin server such as an FTP request (col. 1, lines 34-45), and thus this implies the requests are sent using a transfer protocol FTP that operates independently of HyperText Transfer Protocol (HTTP) capability on the remote server and that operates independently of TELEcommunications NETwork (TELNET) capability on the remote server.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Booth with Devine, Riggins and Brown to include the messages are sent using a transfer protocol that operates independently of HyperText Transfer Protocol (HTTP) capability on the remote server and that operates independently of TELEcommunications NETwork (TELNET) capability on the remote server for the purpose of enhancing communications between users and servers that do not have the same protocols.



27. Claims 67-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al. (Devine), US Patent No. 6,606,708 in view of Riggins, US Patent No. 7,287,271, and further in view of Brown et al. (Brown), US Patent No. 5,941,947 as discussed in claims 62-64, 66, and 69-75 above, and further in view of Lomet et al. (Lomet), US Patent No. 6,182,086.

28. As to dependent claim 67, Devine, Riggins and Brown, however, do not disclose wherein the content server performs transactions according to the forwarded commands and the system further comprises:

the central server to create one or more session log entries that identify the forwarded commands, the session log entries containing information allowing a system administrator to undo the transactions.

Lomet discloses server 54 generates a log record for each of its own write operation on database objects (col. 10, lines 35-41). Lomet further discloses the server can undo a request and re-execute it all over again when the client re-submits the request (col. 10, line 59 - col. 11, line 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lomet with Devine, Riggins and Brown to include the local server creating a session log entry that identifies the commands represented by the messages, the session log entry containing information allowing a system administrator to undo transactions performed on the remote server. The

motivation for creating log record is to provide undo recovery with incomplete requests/commands.

29. As to dependent claim 68, Devine, Riggins and Brown disclose wherein the transactions alter a file system stored on the server (Devine, col. 27, lines 2-5: determining authorization for command and control, read, write, and modify files).

However, Devine, Riggins and Brown do not explicitly disclose the session log entry allows the system administrator to rebuild the file system.

Lomet discloses when restarting after a server failure, the server performs analysis pass over log file by rebuilding the active application table (file system) (col. 15, line 60 - col. 16, line 12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lomet with Devine, Riggins and Brown to include the session log entry allows the system administrator to rebuild the file system for the purpose of recovering failed server.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Doug Hutton, can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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